



SILVERBROOK RESEARCH Pty Ltd

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Email: info@silverbrook.com.au

ACN 066 573 671

16 March 2005

Commissioner of Patents and Trademarks

Box Assignment

WASHINGTON DC 20231

USA

RECEIVED

22 APR 2005

Legal Staff
International Division

Dears Sir

United States Patent Application Serial No. 10/510,097

Inventors/Assignors: KIA SILVERBROOK

Assignee: SILVERBROOK RESEARCH PTY LTD

Our docket: YU169US

We refer to the Notice of Abandonment and hereby lodge a petition to **WITHDRAW HOLDING OF ABANDONMENT**.

The Notice of Abandonment states that the Applicant has failed to provide the full U.S. Basic National Fee by 30 months (37 CFR 1.495(b)(2)). We confirm that the payment was sent, in the form of a cheque, and sent with the filing papers dated August 31, 2004.

The enclosed Declaration of our Patent Administrator, Leonie Frances News, confirms that the payment of the full U.S. Basic National filing fee was paid.

We respectfully request favourable consideration of our petition.

Thank you for your assistance.

Yours faithfully

Kia Silverbrook

kia.silverbrook@silverbrookresearch.com

Encl.



Commonwealth of Australia
Statutory Declarations Act 1959

STATUTORY DECLARATION


In the Matter of US Patent
Application No. 10/510,097
In the Name of Kia Silverbrook

I, LEONIE FRANCES NEWS of 393 Darling Street, Balmain, New South Wales, 2041, Australia do solemnly and sincerely declare as follows:

1. I am the Patent Administrator of Silverbrook Research Pty Ltd and have held this position since 1 September 1999.
2. I have responsibility for maintaining the file records of all applications filed at the United States Patent and Trademark Office ("USPTO") of Kia Silverbrook and Silverbrook Research Pty Ltd, including US Patent Application No. 10/510,097 ("*The Patent Application*").
3. I have searched through my file of the Patent Application and confirm that cheque No. 114364636 marked as Exhibit LFN-1 in the amount of US\$ 1,080.00 was sent to the USPTO along with the filing papers dated August 31, 2004, marked as Exhibit LFN-2.

And I make this solemn declaration aware of the penalties for false declarations under section 11 of the Statutory Declarations Act 1959 (Cwth of Australia).

Declared at Balmain Court House)
Balmain, NSW, Australia)
This 6th day of April 2005)
by Leonie Frances News)


Leonie Frances News

Before me:)

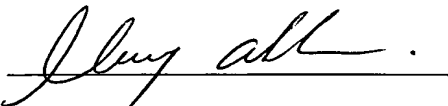

Justice of the Peace
Of New South Wales

EXHIBIT LFN-1

Commonwealth Bank of Australia
ABN 48 123 123 124

Branch BALMAIN LAN2 NSW

114364636

Date 30 September 2004

On Demand Pay to the Order of COMMISSIONER FOR PATENTS

The sum of ONETHOUSAND, EIGHTYDOLLARS

USD ***1,080.00*****
United States Currency

To BANK OF AMERICA NA
NEW YORK, NY

For Commonwealth Bank of Australia
ABN 48 123 123 124

Manager

Accountant

THIS DRAFT CONTAINS A WATERMARK OF A PADLOCK AND KEY

4364636 06600768 6550101810

EXHIBIT LFN-2

YU169US

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

INTERNATIONAL APPLICATION NO.
PCT/AU02/01168INTERNATIONAL FILING DATE
29 August 2002PRIORITY DATE CLAIMED
12 April 2002TITLE OF INVENTION SYMMETRICALLY ACTUATED INK EJECTION COMPONENTS FOR AN INK JET
PRINthead CHIP

APPLICANT(S) FOR DO/EO/US KIA SILVERBROOK

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information:

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)	INTERNATIONAL APPLICATION NO. PCT/AU02/01168	ATTORNEY'S DOCKET NUMBER YU169US
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21. ☒ The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):

Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO **\$1040.00**

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO **\$890.00**

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO **\$740.00**

International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) **\$710.00**

International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) **\$100.00**

ENTER APPROPRIATE BASIC FEE AMOUNT =

Surcharge of **\$130.00** for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	- 20 =		x \$18.00	\$	
Independent claims	- 3 =		x \$84.00	\$	
			+ \$280.00	\$	

MULTIPLE DEPENDENT CLAIM(S) (if applicable) = \$ 1,040.00

TOTAL OF ABOVE CALCULATIONS =

☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. + \$

SUBTOTAL = \$

Processing fee of **\$130.00** for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(f)). \$

TOTAL NATIONAL FEE = \$

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). **\$40.00** per property + \$ 40.00

TOTAL FEES ENCLOSED = \$ 1,080.00

	Amount to be refunded:	\$
	charged:	\$

CALCULATIONS PTO USE ONLY

a. ☒ A check in the amount of \$ 1,080.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☐ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. _____. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Mr K Silverbrook
Managing Director
Silverbrook Research Pty Ltd
393 Darling Street
Balmain, NSW 2041
AUSTRALIA

email: kia.silverbrook@silverbrookresearch.com

SIGNATURE

Kia Silverbrook
NAME

REGISTRATION NUMBER

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**



Declaration
Submitted
with Initial
Filing

OR



Declaration
Submitted after Initial
Filing (surcharge
(37 CFR 1.16 (e))
required)

Attorney Docket Number

YU169US

First Named Inventor

Kia SILVERBROOK

COMPLETE IF KNOWN

Application Number

Filing Date

Art Unit

Examiner Name

As the below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original and first inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SYMMETRICALLY ACTUATED INK EJECTION COMPONENTS FOR AN INK JET
PRINthead CHIP

(Title of the Invention)

the specification of which



is attached hereto

OR



was filed on (MM/DD/YYYY)

August 29, 2002

as United States Application Number or PCT International

Application Number

PCT/AU02/01168

and was amended on (MM/DD/YYYY)

(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
10/120,439	US	04/12/2002	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 21 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Docket No: YU169US

PTO/SB/01 (10-01)

Approved for use through 10/31/2002. OMB 0851-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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DECLARATION — Utility or Design Patent ApplicationDirect all correspondence to: ☒Customer Number
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Correspondence address below

Name

Address

City

State

ZIP

Country

Telephone

Fax

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

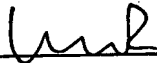
NAME OF SOLE OR FIRST INVENTOR :

☐ A petition has been filed for this unsigned inventorGiven Name
(first and middle [if any])

Kia

Family Name
or Surname

SILVERBROOK

Inventor's
Signature

Date August 31, 2004

Residence: City

Balmain

State
NSWCountry
AustraliaCitizenship
Australian

Mailing Address

393 Darling Street

City

Balmain

State
NSWZIP
2041Country
Australia

NAME OF SECOND INVENTOR:

☐ A petition has been filed for this unsigned inventorGiven Name
(first and middle [if any])Family Name
or SurnameInventor's
Signature

Date

Residence: City

State

Country

Citizenship

Mailing Address

City

State

ZIP

Country

☐ Additional inventors are being named on the _____ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

FORM PTO-1619A
Expires 06/30/99
OMB 0651-0027

U.S. Department of Commerce
Patent and Trademark Office
PATENT

RECORDATION FORM COVER SHEET PATENTS ONLY

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

Submission Type

- ☒ New
- ☐ Resubmission (Non-Recordation)
Document ID#
- ☐ Correction of PTO Error
Reel # Frame #
- ☐ Corrective Document
Reel # Frame #

Conveyance Type

- ☒ Assignment ☐ Security Agreement
- ☐ License ☐ Change of Name
- ☐ Merger ☐ Other
- U.S. Government**
(For Use ONLY by U.S. Government Agencies)
- ☐ Departmental File ☐ Secret File

Conveying Party(ies)

☐ Mark if additional names of conveying parties attached

Name (line 1)

Execution Date
Month Day Year

Name (line 2)

Second Party

Name (line 1)

Execution Date
Month Day Year

Name (line 2)

Receiving Party

☐ Mark if additional names of receiving parties attached

Name (line 1)

Name (line 2)

☐ If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. (Designation must be a separate document from Assignment.)

Address (line 1)

Address (line 2)

Address (line 3)

State/Country

Zip Code

Domestic Representative Name and Address

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

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FOR OFFICE USE ONLY

Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

Mail documents to be recorded with required cover sheet(s) information to:
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

FORM PTO-1619B
Expires 06/30/99
OMB 0651-0027

Page 2

U.S. Department of Commerce
Patent and Trademark Office
PATENT

Correspondent Name and Address

Country, Area Code and Telephone Number **61-2-9818-6633**

Name **Kia Silverbrook**

Address (line 1) **Silverbrook Research Pty Ltd**

Address (line 2) **393 Darling Street**

Address (line 3) **Balmain, NSW 2041**

Address (line 4) **Australia**

Pages

Enter the total number of pages of the attached conveyance document including any attachments.

4**Application Number(s) or Patent Number(s)**☐ Mark If additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)**Patent Number(s)**

If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.

Month Day Year

Patent Cooperation Treaty (PCT)

Enter PCT application number
only if a U.S. Application Number
has not been assigned.

PCT PCT PCT
PCT PCT PCT

Number of Properties

Enter the total number of properties involved.

1**Fee Amount**

Fee Amount for Properties Listed (37 CFR 3.41): \$ **40**

Method of Payment:

Enclosed ☐ Deposit Account ☐

Deposit Account

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

Authorization to charge additional fees:

Yes ☐ No ☐

Statement and Signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.

Kia Silverbrook

Name of Person Signing

Signature

August 31, 2004

Date

ASSIGNMENT OF APPLICATION

Docket Number (Optional)
YU169US

Whereas, I, KIA SILVERBROOK of 393 Darling Street
Balmain, NSW 2041, Australia, hereafter
referred to as applicant, have invented certain new and useful improvements in
SYMMETRICALLY ACTUATED INK EJECTION COMPONENTS FOR AN INK JET PRINTHEAD CHIP

☐ for which an application for a United States Patent was filed on _____
Application Number _____

☒ for which an application for a United States Patent was executed on August 31, 2004, and

Whereas, SILVERBROOK RESEARCH PTY LTD of Balmain, New South Wales, Australia herein referred to
"assignee" whose post office address is 393 Darling Street, Balmain, NSW 2041, Australia is de-
sirous of acquiring the entire right, title and interest in the same;

Now, therefore, in consideration of the sum of one dollars (\$ 1.00), the receipt whereof is ac-
knowledgeed, and other good and valuable consideration, I, the applicant, by these presents do sell, assign
and transfer unto said assignee the full and exclusive right to the said invention in the United States/and the
entire right, title and interest in and to any and all Patents which may be granted therefor in the United States/
I hereby authorize and request the Commissioner of Patents and Trademarks to issue said United States
Patent to said assignee, of the entire right, title, and interest in and to the same, for his sole use and behoof;
and for the use and behoof of his legal representatives, to the full end of the term for which said Patent may
be granted, as fully and entirely as the same would have been held by me had this assignment and sale not
been made.

Executed this 31st day of August, 19 2004,
at Balmain, NSW, Australia

[Signature]
(Signature)

State of _____) SS:
County of _____)

Before me personally appeared said _____
and acknowledged the foregoing instrument to be his free act and deed this _____
day of _____, 19____.

(Notary Public)

Seal

Substitute for form 1449A/PTO

(use as many sheets as necessary)

Sheet	1	of	1
-------	---	----	---

Complete If Known

Application Number	
Filing Date	
First Named Inventor	Kia Silverbrook
Art Unit	
Examiner Name	
Attorney Docket Number	YU169US NP

[illegible][illegible]

**Examiner
Signature**

Date Considered

1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Assistant Commissioner for Patents, Washington, DC 20231.

PLEASE NOTE -

* Copies not attached as previously submitted to or cited by the USPTO in PARENT patent no 6,536,874